

REMARKS

Claims 1-8, 10-12, 15-17, 19, and 20 remain pending and at issue in this application, with claims 1, 15, and 17 being independent claims. In view of the remarks below, Applicants respectfully request reconsideration and favorable action in this case.

35 U.S.C. § 103 Rejections

Each of claims 1-8, 10-12, 15-17, 19, and 20 stands rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Pearson (U.S. Patent App. Pub. No. 2003/0028610) in view of one or more of La Vallee et al. (U.S. Patent App. Pub. No. 2004/0039781, hereinafter "LaVallee"), Block et al. (U.S. Patent App. Pub. No. 2003/0050976, hereinafter "Block"), and Markki et al. (U.S. Patent App. Pub. No. 2004/0243672, hereinafter "Markki").

Independent Claim 1

Independent claim 1 stands rejected as allegedly unpatentable over Pearson in view of La Vallee and Block. Independent claim 1 is directed to a computer storage medium comprising computer executable code for creating a graphical user interface presented on a display in communication with a processor associated with a group interaction application for facilitating file sharing among a first member of a group and at least one other member of the group over a network, and recites code for displaying, in part, at least one control located in a second display area selectable by the first member to select at least one task associated with the group space and to activate one or more operations with respect to files located in the first display area, such that ***at least one other group member is automatically shown the result of the operations performed with respect to the files displayed in the first display area***; and a ***selectable indicator*** for ***visually presenting a group member list*** to the first user, the group member list ***including an indication field of a role for each of the members*** in the list wherein the list of group members includes an indication reflecting connection information for each group member.

None of Pearson, La Vallee, and Block, individually or in any combination, can render claim 1 unpatentable because none of Pearson, La Vallee, and Block, by

itself or combined with one or both of the others, discloses or suggests all of the elements recited by claim 1. In particular, none of Pearson, La Vallee, or Block discloses or suggests (1) at least one control located in a second display area selectable by the first member to select at least one task associated with the group space and to activate one or more operations with respect to files located in the first display area, such that ***at least one other group member is automatically shown the result of the operations performed with respect to the files displayed in the first display area***; and (2) a ***selectable indicator*** for ***visually presenting a group member list*** to the first user, the group member list ***including an indication field of a role for each of the members*** in the list.

Contrary to the allegation of the Examiner, Applicants see no interpretation of Pearson that could disclose (1) a control located in a second display area, where (2) the control is selectable by a first member to select a task associated with a group space and where (3) the control is selectable to activate one or more operations with respect to files located in the first display area, such that (4) at least one other group member is automatically shown the result of the operations performed with respect to the files displayed in the first display area. The Examiner alleges that the shared files pane 372 of Pearson corresponds to the first display area recited by claim 1, and that the treeview control pane 370 of Pearson corresponds to the second display area recited by claim 1. (See office action at page 3.) With that understanding, the only tenable “control” located in the second display area (treeview pane 370) would be some portion of the tree itself (e.g., the folders or the tree expansion (“+” or “-”) controls). Selecting the tree expansion controls would not operate to “select a task associated with a group space,” as claim 1 recites, so the selectable control alleged by the Examiner must be one or more of the folders.

The Examiner does not indicate what task is selectable and, in any event, Applicants fail to see any apparent “task associated with a group space” other than displaying the files stored in the selected folder. Assuming, for the sake of argument only and without admitting it to be true, that the folder is alleged to be the recited “selectable control” and displaying the files within the folder is alleged to be the recited “task associated with a group space,” Applicants submit that the only possible operation with respect to files located in the first display area, which operation the

control would be selectable to activate, would be the display of the files stored in the selected folder.¹ However, under what appears to the Applicants to be the only tenable interpretation, Pearson does not disclose or suggest that the selection of the folder, which displays the files stored in the folder, operates “such that at least one other group member is automatically shown the result of the operations performed.” That is, Pearson does not disclose or suggest that when the first member displays the files stored in the selected folder, at least one other group members also sees the result of the operations performed (*i.e.*, also sees the displayed files). Thus, there appears no interpretation of Pearson in which the Examiner’s allegation that Pearson discloses at least one control located in a second display area **selectable** by the first member **to select at least one task** associated with the group space and **to activate one or more operations** with respect to files located in the first display area, **such that at least one other group member is automatically shown the result of the operations performed with respect to the files displayed in the first display area.**

Further contrary to the allegations of the Examiner, Applicants see no interpretation of La Vallee in which La Vallee discloses (1) a selectable indicator for (2) visually presenting a group member list to the first user, the group member list (3) including an indication field of a role for each of the members in the list. The Examiner relies upon figs. 4-7, and paragraphs 0037 and 0027, of La Vallee, as disclosing the recited selectable indicator. In particular, the Examiner indicates that the relied upon text and figures disclose “presenting a group member’s roster [*sic*] including specified roles, such as owner, member or invitee, and connection status of currently logged-on for group members.” (See office action at page 4.) Without forming any opinion as to whether or not the roster disclosed in La Vallee could correspond to the group member list recited by claim 1, Applicants point out that there appears to be no evidence in La Vallee that the roster is ever **displayed** or

¹ Applicants note that the Examiner alleges that the “task is selectable” with respect to files, and that the task is “activated with an operation.” (See office action at pages 3-4.) The claim does not recite that the task is **activated with** an operation, as alleged by the Examiner, but instead requires that the control is selectable **to activate** one or more operations. To the extent that the Examiner finds the recitation of claim 1 to be unclear in this regard, Applicants invite the Examiner to request appropriate correction, with which request Applicants will comply in an effort to further the prosecution of the current application.

otherwise **presented visually** to the first user, as claim 1 recites. Moreover, while La Vallee discloses that “the algorithm may select a qualified client whose member has been logged-on the longest as the master” (see La Vallee at paragraph 27, lines 6-8), La Vallee does not appear to disclose that the status as master (or as any other role) is ever stored to the roster, much less that the roster includes an indication field for the role that is ever presented visually to the first user. Further still, it appears the Examiner fails to allege any “selectable indicator” that causes the display of the non-disclosed visually presented group member list, and the Applicants submit that La Vallee does not disclose such a selectable indicator.

Thus, while the Examiner alleges that claim 1 is unpatentable over Pearson in view of La Vallee and Block, none of Pearson, La Vallee, and Block, individually or in any combination, can render claim 1 obvious, because even in combination, the documents fail to disclose or suggest each of the elements recited by the claim. Accordingly, Applicants request reconsideration and withdrawal of the rejection.

Independent Claim 15

Independent claim 15 stands rejected as allegedly unpatentable over Pearson in view of La Vallee, Block, and Markki. The Examiner indicates that “[t]he subject matter recited in Claims 15 and 16 corresponds to the subject matter recited in claims 1 and 2, respectively.” (Office action at page 8.) Applicants respectfully disagree. Claim 15 recites, at least in part, “...a first shared space display area that acts as a drop location for at least one file icon...” and “...wherein a shared file associated with the at least one dropped file icon may be retrieved by selecting the associated icon...” At least these two elements are recited in claim 15 but not in claim 1.² Moreover, while the Examiner alleges that claim 15 is unpatentable over Pearson in view of La Vallee, Block, and Markki, the Examiner does not apply Markki to either claim 1 or claim 2 and, therefore, it is unclear to the Applicants on what grounds the Examiner rejects claim 15 (and, for that matter, claim 16). Therefore, Applicants request the Examiner to issue a corrected (or further) office action after considering these remarks, and respectfully submit that until the references are fully applied, no final rejection should issue (see MPEP 706.07).

Further, Applicants submit that even if the Examiner's statement that the subject matter recited by claim 15 corresponds to the subject matter recited in claim 1 were correct, and it is not, claim 15 remains patentable over all of Pearson, La Vallee, and Block, individually or in combination, for at least the reasons described above with respect to claim 1. Accordingly, Applicants request reconsideration and withdrawal of the rejection.

Independent Claim 17

Independent claim 17 stands rejected as allegedly unpatentable over Pearson in view of La Vallee. Independent claim 17 is directed to a method of forming a group space to enable interaction between a first user and at least one other user over a network and recites, in part, displaying to the first user via a first user display a group folder object having associated therewith a first selectable task for forming a group comprising the first user and at least one other user; transmitting from the first user a request to join the group by sending a communication over the network to a computing device used by the at least one other user to initiate a group communication session between the first user and the at least one other user; receiving a response to the invitation request by receipt of a unique numeric identifier associated with the at least one other user; and displaying a selectable indicator for visually presenting a group member list to the first user, the group member list including an indication field of a role for each of the members in the list wherein the list of group members includes indicia concerning connection by each group member to the network.

Neither Pearson nor La Vallee, independently or in combination, can render claim 17 obvious because neither Pearson nor La Vallee, individually or in combination, discloses or suggests all of the elements recited by the claim. In particular, neither Pearson nor La Vallee discloses or suggests receiving a response to the invitation request by receipt of a unique numeric identifier associated with the at least one other user. The Examiner alleges that La Vallee discloses the receipt of such a response to the invitation, relying upon paragraphs 0027 through 0029. However, paragraphs 0027 through 0029 are unrelated to any response that might

² Applicants point out, preemptively, that the software disclosed in Pearson does not disclose using

be received to the invitation allegedly disclosed in paragraph 0024 (office action at page 12). Instead, paragraphs 0027 through 0029 describe, among other things, what qualifies a member's client to be a master, how an algorithm may select a master, how a client discovers whether the client is open or closed, and messages transmitted when a member **logs on**. It is the messages transmitted when a member logs on that "include an indication of...the external and internal IP address of the client, and a session identifier..." (paragraph 0027 at lines 8-13). Thus, the alleged "response to the invitation request" cited by the Examiner is in fact not a response to an invitation request, much less one including a unique numeric identifier.

Moreover, and as described above with respect to claim 1, La Vallee also does not disclose displaying a selectable indicator for visually presenting a group member list to the first user, the group member list including an indication field of a role for each of the members in the list. While the Examiner again indicates that the relied upon text and figures disclose "presenting a group member's roster [*sic*] including specified roles, such as owner, member or invitee, and connection status of currently logged-on for group members," Applicants again point out that there appears to be no evidence in La Vallee that the roster is ever **displayed** or otherwise **presented visually** to the first user, as claim 17 recites. Moreover, while La Vallee discloses that "the algorithm may select a qualified client whose member has been logged-on the longest as the master" (see La Vallee at paragraph 27, lines 6-8), La Vallee does not appear to disclose that the status as master (or as any other role) is ever stored to the roster, much less that the roster includes an indication field for the role that is ever presented visually to the first user. Further still, it appears the Examiner fails to allege any "selectable indicator" that causes the display of the non-disclosed visually presented group member list, and the Applicants submit that La Vallee does not disclose such a selectable indicator.

For at least the reasons described above, neither Pearson nor La Vallee, individually or combined, can render claim 17 obvious. Accordingly, Applicants request reconsideration and withdrawal of the rejection.

Claims 2-8, 10-12, 16, 19, and 20

Each of claims 2-8, 10-12, 16, 19, and 20 depends from one of claims 1, 15 and 17. Accordingly, Applicants submit that each of claims 2-8, 10-12, 16, 19, and 20 is patentable over any of Pearson, La Vallee, Block, and Markki, individually or in any combination, for at least the reasons described above with respect to the corresponding independent claim. Therefore, Applicants request reconsideration and withdrawal of the rejections.


CONCLUSION

Accordingly, all remaining claims are in condition for allowance for the reasons provided above. Although Applicants believe that no fees or petitions are due, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 13-2855 of Marshall, Gerstein & Borun, LLP under Order No. 30835/306083. Should the Examiner wish to discuss any of the foregoing comments or any claim amendments deemed needed to result in allowance, Applicants kindly request the Examiner to contact the Applicants' representative by telephone at the number given below.

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